

**2003 DRAFTING REQUEST****Assembly Amendment (AA-AB1)**Received: **01/23/2003**Received By: **jkuesel**Wanted: **As time permits**

Identical to LRB:

For: **Mark Gundrum (608) 267-5158**By/Representing: **Don Dyke - LCS**This file may be shown to any legislator: **NO**Drafter: **jkuesel**

May Contact:

Addl. Drafters:

Subject: **Ethics**Extra Copies: **Don Dyke - LCS**Submit via email: **YES**Requester's email: **Rep.Gundrum@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

AA to AB-1

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**Instructions:**

In lieu of proposed ss. 19.535 and 19.59 (8) (cn), provide that if ethics board receives a verified complaint alleging a violation of proposed s. 19.45 (13), within 30 days after receipt board must either dismiss complaint or commence an investigation. If board dismisses complaint within 30-day period or after conducting an investigation, then complainant may file a verified complaint with attorney general or district attorney for county where violation occurred or adjacent county. DA or AG may prosecute as civil or criminal action. Same for alleged violations of proposed s. 19.59 (1 (br), except district attorney for county where violation occurred must respond instead of board.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel	kgilfoy					

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	01/24/2003	01/24/2003					
/1			chaskett 01/24/2003		lemery 01/24/2003	lemery 01/24/2003	
/2	jkuesel 01/28/2003	kgilfoy 01/28/2003	chaskett 01/28/2003		sbasford 01/28/2003	sbasford 01/28/2003	

FE Sent For:

<END>

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1/2	jkuesel	kgilfoy	2/28 cph	2 self 1/28			
		12-1/28 HME					

01/24/2003 04:04:04 PM

Page 2

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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01/24/2003	01/24/2003						
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/1

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chaskett

01/24/2003

lemery

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lemery

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1/1	jkuesel	23 11-1/24 kmj	11/24 co	1/24 1/24			

Wanted Ruc: 1/23

ASSEMBLY AMENDMENT,  
TO 2003 ASSEMBLY BILL 1

1 At the locations indicated, amend the bill as follows:

2 ✓ 1. Page 6, line 8: delete lines 8 to 17 and substitute repealed ;

3 2. Page 8, line 3: delete "and (cn)".

4 3. Page 8, line 4: delete "are" and substitute "is".

5 ✓ 4. Page 8, line 10: delete lines 10 to 18 and substitute:

6 "SECTION 13m. 19.59 (8) (cn) of the statutes, as created by 2001 Wisconsin Act  
7 109, is repealed."

8 (END)

**2003-2004 DRAFTING INSERT**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRBa0011/1ins  
JTK.....

INS A:

*text: treat* " **19.535 Enforcement.** If the board receives a verified complaint alleging a violation of s. 19.45 (13), the board shall, within 30 days after receipt of the complaint, either authorize an investigation of the allegations contained in the complaint under s. 19.49 (3) or dismiss the complaint. If the board dismisses the complaint, with or without investigation, the board shall promptly notify the complainant in writing. Upon receiving notification of the dismissal, the complainant may then file the complaint with the attorney general, the district attorney for the county where a violation is alleged to occur or the district attorney for a county that is adjacent to that county. The attorney general or district attorney may then investigate the allegations contained in the complaint and commence a prosecution.

**SECTION 1.** 19.579 of the statutes is created to read:

**19.579 Civil penalty.** Any person who violates s. 19.45 (13) may be required to forfeit not more than \$5,000. "

INS B:

*dept. treat* " (cn) If the district attorney for the county in which a violation of sub. (1) (br) is alleged to occur receives a verified complaint alleging a violation of sub. (1) (br), the district attorney shall, within 30 days after receipt of the complaint, either commence an investigation of the allegations contained in the complaint or dismiss the complaint. If the district attorney dismisses the complaint, with or without investigation, the district attorney shall notify the complainant in writing. Upon

receiving notification of the dismissal, the complainant may then file the complaint with the attorney general or the district attorney for a county that adjoins the county in which the violation is alleged to occur. The attorney general or district attorney may then investigate the allegations contained in the complaint and commence a prosecution. 11





State of Wisconsin  
2003 - 2004 LEGISLATURE

LRBa0011/1 2  
JTK:kmg:cph

wanted Tue 1/28 11:15AM

ASSEMBLY AMENDMENT ,  
TO 2003 ASSEMBLY BILL 1

1 At the locations indicated, amend the bill as follows:

2 1. Page 6, line 8: delete lines 8 to 17 and substitute:

3 "19.535 Enforcement. If the board receives a verified complaint alleging a  
4 violation of s. 19.45 (13), the board shall, within 30 days after receipt of the  
5 complaint, either authorize an investigation of the allegations contained in the  
6 complaint under s. 19.49 (3) or dismiss the complaint. If the board dismisses the  
7 complaint, with or without investigation, the board shall promptly notify the  
8 complainant in writing. Upon receiving notification of the dismissal, the  
9 complainant may then file the complaint with the attorney general, the district  
10 attorney for the county where a violation is alleged to occur or the district attorney  
11 for a county that is adjacent to that county. The attorney general or district attorney  
12 may then investigate the allegations contained in the complaint and commence a  
13 prosecution.

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✓ 2. Page 8, line 10: delete lines 10 to 18 and substitute:

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“(cn) If the district attorney for the county in which a violation of sub. (1) (br)

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is alleged to occur receives a verified complaint alleging a violation of sub. (1) (br),

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the district attorney shall, within 30 days after receipt of the complaint, either

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commence an investigation of the allegations contained in the complaint or dismiss

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the complaint. If the district attorney dismisses the complaint, with or without

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receiving notification of the dismissal, the complainant may then file the complaint

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with the attorney general or the district attorney for a county that ~~adjoins~~ <sup>is adjacent to</sup> the county

13

in which the violation is alleged to occur. The attorney general or district attorney

14

may then investigate the allegations contained in the complaint and commence a

15

prosecution.”.

16

(END)

LRB 2001/2

AA1  
to AB-1

In enrolling, the following  
~~AA1 for AB-1~~ correction  
was made:

#. Page 2, line 1: delete

(B)  
"8m" and substitute

"8b".  
(B)

K MG



State of Wisconsin  
2003-2004 LEGISLATURE

**CORRECTIONS IN:**

**ASSEMBLY AMENDMENT 1,  
TO 2003 ASSEMBLY BILL 1**

Prepared by the Legislative Reference Bureau  
(June 5, 2003)

In enrolling, the following correction was made:

1. Page 2, line 1: delete "8m" and substitute "8b".